

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

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UNITED STATES OF AMERICA : Hon. Faith S. Hochberg
 :
 v. : Crim. No. 07-478 (FSH)
 :
 NORBERTO HERRERA : ORDER
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THIS MATTER having come before the Court on the Petition of U.S. Probation Officer Kevin Egli of the United States Probation Office ("U.S. Probation"), for a finding that NORBERTO HERRERA has violated the terms of his supervised release; and

It appearing that NORBERTO HERRERA appeared before this Court on March 14, 2012 and pled GUILTY to Violation Number One of the Petition for Violation of Supervised Release, dated February 28, 2012 (the "Petition"), which violation charged NORBERTO HERRERA with having possessed and/or used illegal drugs, namely methamphetamine, which violation is a Grade C Violation; and the Court having accepted the GUILTY plea by NORBERTO HERRERA as having been made on an informed, voluntary, knowing, and intentional basis; and

It appearing that NORBERTO HERRERA is a Criminal History Category II, and therefore faces 4-10 months the above violation; and

IT IS on this 19th day of July, 2012 hereby

ORDERED that NORBERTO HERRERA be immediately placed under house arrest until U.S. Probation can place NORBERTO HERRERA into

an inpatient drug treatment facility of its choosing; and

IT IS FURTHER ORDERED that while under house arrest, NORBERTO HERRERA will be allowed to leave his home for work in accordance with a work schedule approved by U.S. Probation, and for doctor's appointments and attorney meetings, subject to approval by U.S. Probation; and

IT IS FURTHER ORDERED that if U.S. Probation cannot place NORBERTO HERRERA into an inpatient drug treatment within two weeks of the date of this Order, NORBERTO HERRERA is to be placed into a community confinement center until he is placed into an inpatient drug treatment facility approved by U.S. Probation; and

IT IS FURTHER ORDERED that if U.S. Probation finds that (1) NORBERTO HERRERA failed to complete the inpatient drug treatment program once he is enrolled; or (2) that, on or after July ~~18~~¹⁷, 2012, NORBERTO HERRERA used any illegal drugs or refused any drug tests administered by U.S. Probation while serving his current term of supervised release, then:

(A) IT IS FURTHER ORDERED that NORBERTO HERRERA's current term of supervised release is revoked; and

(B) IT IS FURTHER ORDERED that NORBERTO HERRERA is sentenced on the violation to 6 months of incarceration; and

(C) IT IS FURTHER ORDERED that upon his release, a new term of supervised release shall be imposed on NORBERTO HERRERA for a term of 1 year and upon all the terms and conditions of supervised release previously imposed by this Court.

IT IS FURTHER ORDERED that upon successful completion of the inpatient drug treatment program, NORBERTO HERRERA will continue to remain under house arrest, with the conditions specified above, for three months; and

IT IS FURTHER ORDERED that Violation Nos. 2 and 3 of the Petition are hereby dismissed; and

IT IS FURTHER ORDERED that all other conditions of the judgment of conviction entered in this matter shall remain in full force and effect.

A handwritten signature in black ink, appearing to read "Faith S. Hochberg", is written over a horizontal line.

HONORABLE FAITH S. HOCHBERG
United States District Judge